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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,859

02/28/2007

Eui-Seog Seig Jeong

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34610 7590 02/08/2011
KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

EXAMINER

VAN, QUANG T

ART UNIT

PAPER NUMBER

3742

MAIL DATE

DELIVERY MODE

02/08/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/575,859	Applicant(s) JEONG, EUI-SEOG SEIG	
	Examiner Quang T. Van	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-9 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-9 and 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

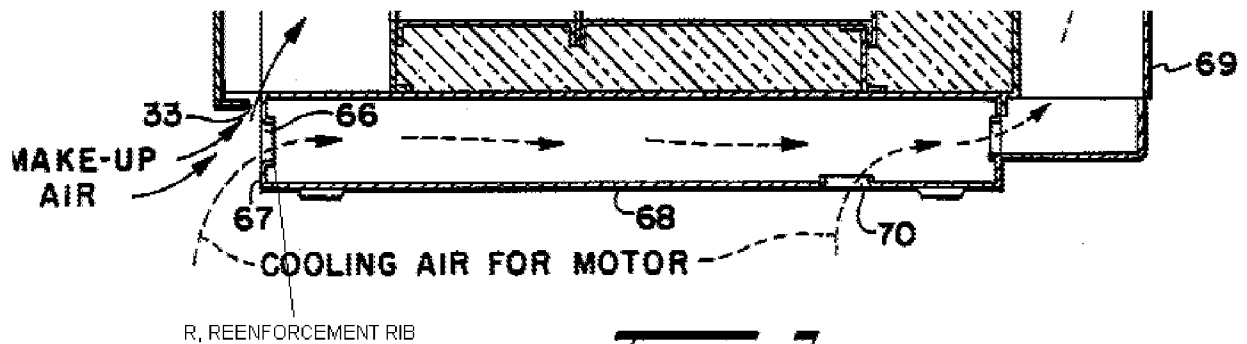
1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilliom et al (US 4,108,139) in view of Jeong et al (US 2003/0230571) and Gilliom (US 3,485,229). Gilliom'139 discloses oven comprising a cavity (Figure 2, col. 3, lines 43-45) in which food is cooked; and a base cover having: a cover body (68) installed under the cavity and contacting a mounting surface, a stepped portion (67) bent upward from an end of the cover body for supporting the cavity, at least one air intake hole (66) defined in the stepped portion (67) for through which an outside air (Figure 2) passes, and a reinforcement rib (R, Figure 2 below) which protrudes from a periphery of the air intake hole (66), wherein the reinforcement rib (R) protrudes in forward direction or backward direction relative to the periphery of the air in take hole (66), wherein the air intake hole (66) is a cavity intake hole located under the cavity, and wherein the oven further includes at least one panel intake hole (33, Figure 2 below) at a location adjacent the cavity intake hole (66), wherein the cavity intake hole (66) and the panel hole (33) are different. However, Gilliom'139 does not disclose at least one panel intake hole located in the stepped portion and the oven being a microwave oven. Gilliom'229 discloses at least one panel intake hole located in the stepped portion (P, Figure 3 below). Jeong discloses an oven being a microwave oven (abstract). It would have

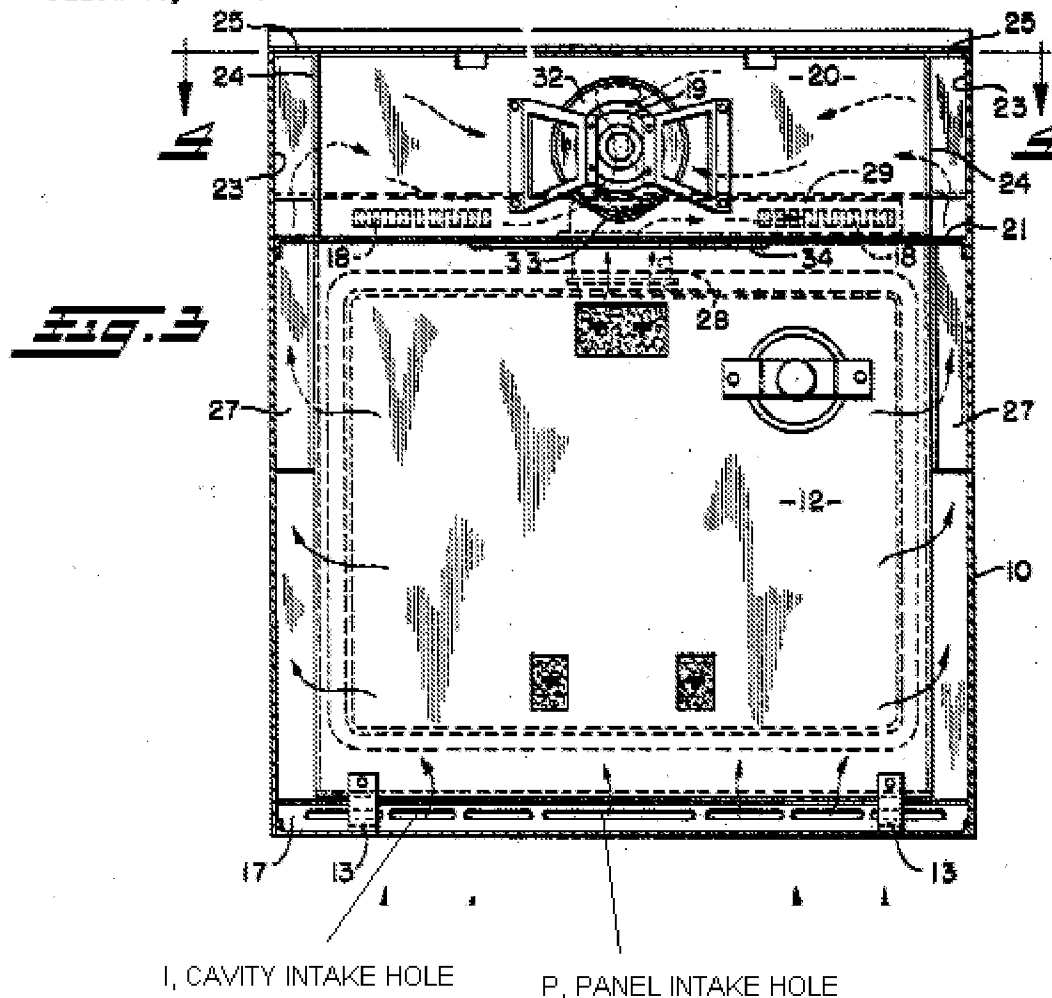
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been obvious to one ordinary skill in the art at the time the invention was made to utilize in Gilliom'139 at least one panel intake hole located in the stepped portion as taught by Gilliom'229 in order to provide different flow rate into the panel, and an oven being a microwave oven as taught by Jeong in order to cook the food with microwave energy.

**FIG. 2**

Filed Sept. 11, 1968

2 Sheets-Sheet 2



3. Claims 23 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilliom et al (US 4,108,139) in view of Jeong et al (US 2003/0230571) and Gilliom (US 3,485,229), and further in view of White et al (US 4,327,274). Gilliom'139/Gilliom'229/Jeong disclose substantially all features of the claimed invention except a plurality of cavity intake holes wherein each cavity intake hole has a size different from the panel intake hole. White discloses a plurality of cavity intake holes (30) wherein each cavity intake hole has a size different from the panel intake hole (50). It would

have been obvious to one ordinary skill in the art at the time the invention was made to utilize in Gilliom'139/Gilliom'229/Jeong a plurality of cavity intake holes wherein each cavity intake hole has a size different from the panel intake hole as taught by White in order to have different air flow velocity. With regard to claims 25, it would have been obvious to one ordinary skill in the art at the time the invention was made to have a plurality of panel intake holes are arranged in multiple rows, and the plurality of cavity intake holes are arranged in a single row, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70. Since, applicant has not disclosed, in the specification of the present application, any criticality for the claimed limitations.

Response to Amendment

4. Applicant's arguments with respect to claims 1-3, 5-9, and 21-26 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T. Van whose telephone number is 571-272-4789. The examiner can normally be reached on 8:00Am 5:00Pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quang T Van/
Primary Examiner, Art Unit 3742
February 2, 2011

Quang T Van
Primary Examiner
Art Unit 3742